

**FOR PUBLICATION**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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ZEV AND LINDA WACHTEL, <i>et al.</i> ,	)	Civ. Docket No. 01-4183
	)	Hon. Faith S. Hochberg, U.S.D.J.
Plaintiffs	)	
	)	
v.	)	
	)	
GUARDIAN LIFE INS. CO., <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	
RENEE MCCOY, individually and on behalf of all others similarly situated,	)	Civ. Docket No. 03-1801
	)	Hon. Faith S. Hochberg, U.S.D.J.
Plaintiffs	)	<b><u>ORDER</u></b>
	)	
v.	)	
	)	Date: August 5th, 2004
HEALTH NET, INC., HEALTH NET OF THE NORTHEAST, INC., and HEALTH NET OF NEW JERSEY, INC.	)	
	)	
Defendants.	)	
	)	

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**HOCHBERG, District Judge:**

This Matter comes before the Court on the Defendants' Motion to Dismiss for failure to exhaust administrative remedies and on Plaintiffs' Motions for class certification; and

The Court having reviewed the briefs and heard oral argument and for the reasons stated in the Opinion accompanying this Order,

**IT IS** on this 5th day of August 2004,

**ORDERED** that the above-captioned matters are consolidated for trial; and it is further  
**ORDERED** that the Defendants' Motion to Dismiss is **DENIED**; and it is further  
**ORDERED** that the Plaintiffs' Motion for Class Certification is **GRANTED** for the  
classes defined in the Opinion accompanying this Order; and it is further  
**ORDERED** that the Plaintiffs provide the Court with a plan for notification of the class  
members, pursuant to Fed. R. Civ. P. 23(c) by September 3, 2004; and it is further  
**ORDERED** that the Parties are to comply with the Case Management Order also issued  
on this date.

/s/ Faith S. Hochberg  
Hon. Faith S. Hochberg, U.S.D.J.